

**Ordinance #236 – Planning and Zoning Commission**

**Section 1. - Creation of a Planning and Zoning Commission and abolition of the separate Planning Commission and Zoning Commission.**

- (a) *Planning and zoning commission.* There shall exist in the Town of Canton a Planning and Zoning Commission. It shall be known as the "Town of Canton Planning and Zoning Commission," and referred to herein as the Planning and Zoning Commission, and it shall have all powers and duties of a Planning and Zoning Commission under the laws of the State of Connecticut, including those powers and duties prescribed in C.G.S. chapters 124 and 126.
- (b) *Abolishment of the Planning Commission and the Zoning Commission.* The Planning Commission and the Zoning Commission are hereby abolished and shall cease to exist and all power, authority, duty and jurisdiction of the Zoning Commission and the Planning Commission are hereby transferred to and vested into the Planning and Zoning Commission.
- (c) *Continuity of planning and zoning.* Nothing in this article shall affect or be construed to affect (1) the continuity of planning or zoning within the Town of Canton (2) any provision of the subdivision or zoning regulations, which shall remain in effect and be applied, administered or amended by the Planning and Zoning Commission (3) any notice, decision or action taken by the Zoning Commission or the Planning Commission. The Planning Commission and the Zoning Commission each shall continue with its present authority until the effective date of this article. Any applications or matters filed with, pending before, or being acted upon by, the Planning Commission or the Zoning Commission, for any permit, certificate, approval, decision, change in regulations or zoning map, license or authorization, under the existing zoning regulations, shall be acted upon by the planning and Zoning Commission after the appointment of regular members to the Planning and Zoning Commission as provided herein.
- (d) *Accommodation of existing applications.* The Planning and Zoning Commission shall ensure that all applications and all other matters pending before the Zoning Commission and the Planning Commission upon the effective date of this article are duly considered and, where applicable, decided. In the event a member of the Planning and Zoning Commission is not familiar with the administrative record in such an application or matter, before said member shall vote upon the said application or matter, the said member shall become acquainted with the administrative record in accordance with law. The Planning and Zoning Commission shall offer, in addition to all other powers it has, the opportunity for an applicant to withdraw any application pending upon the effective date of this article and resubmit it without payment of a second application fee. Nothing herein shall relieve the applicant of the obligation to pay for town expenses in review of an application or matter, such as staff reviews, the employment of experts, and publication costs, as required by regulation, ordinance or law.

**Section 2. - Appointment of members; vacancies; miscellaneous; effective date.**

- (a) *Cessation of current terms.* All offices of the Planning Commission and of the Zoning Commission are hereby vacated as of the effective date of this article; the offices of the Planning and Zoning Commission shall be effective upon the appointment of members pursuant to subsection (c) of this article.
- (b) *Commission member qualifications, numbers, initial appointment and continuity.* The Planning and Zoning Commission shall consist of seven (7) regular members who are electors of the Town of Canton and three (3) alternate members who are electors of the Town of Canton, who shall be appointed by the Board of Selectmen no sooner than fifteen (15) days after the effective date of this article in the manner set forth in the Town Charter. The first appointments to the Planning and

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Zoning Commission may be made from current regular members and alternate members of the Zoning Commission and the Planning Commission.

Appointments shall comply with the minority representation provisions of the Town Charter.

- (c) *Terms of appointments.* At the first appointment referenced in subsection (b), two (2) regular members and one (1) alternate member shall be appointed for a term of two (2) years, three (3) regular members and one (1) alternate member shall be appointed for a term of three (3) years, and two (2) regular members and one (1) alternate member shall be appointed for a term of four (4) years. Thereafter, as the term of each member of the commission expires, the successors shall be appointed to serve for a term of four (4) years in accordance with the Town Charter.
- (d) *Vacancies.* Any vacant office of the Planning and Zoning Commission shall be filled by appointment by the Board of Selectmen in accordance with the Town Charter.